

(Authoritative English Text of this Department's Notification No. Ayur-A(3)-6/2010 dated 11th Oct, 2012 as required under clause (3) of Article 309 of the Constitution of India).

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF AYURVEDA

No. Ayur-A(3)-6/2010

Dated: Shimla-171002, the 11th Oct, 2012.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with H.P. Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Pharmaceutical Chemist, Class-II (Non-Gazetted) in the Department of Ayurveda, Himachal Pradesh, as per Annexure-'A' attached to this notification, namely :-

Short title & Commencement : 1 (1) These rules may be called the Himachal Pradesh Department of Ayurveda, Pharmaceutical Chemist, Class-II (Non-Gazetted), Recruitment & Promotion Rules, 2012.

(2) These rules shall come into force from the date of publication in official Gazette.

Repeal & Savings:

2 (1) The Himachal Pradesh Department of Indian System of Medicine and Homeopathy, Pharmaceutical Chemist Class-II (Gazetted) Recruitment & Promotion Rules, 1997 notified vide this Department's Notification No. Health-A (3)-34/84 dated 09-04-1997 are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the relevant rules so repealed under sub rule 2(1) supra shall be deemed to have been validly made, done or taken under these rules.

By Order

Principia Secretary (Ayurveda) to the
Government of Himachal Pradesh.

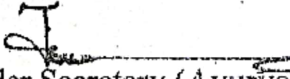
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Endst. No. Ayur-A(3)-6/2010 Dated: Shimla-2, 11th Oct, 2012.

Copy for information and necessary action is forwarded to:-

1. All the Addl. Chief Secretaries/Principal Secretaries/Secretaries to the Government of Himachal Pradesh Shimla-171002.
2. The Director, Ayurveda, Kasumpti, Shimla-171009.
3. The Secretary HP Public Service Commission, Nigam Vihar, Shimla-171002 w.r.t. his letter 1-2/78-PSC-Part dated 26-07-2011 (with three copies).
4. The Controller, Printing & Stationery Department, HP Shimla-171005 for publication in the Rajpatra.
5. The ALR-cum-Under Secretary (Law) to the Government of H.P. Shimla-2
6. Guard file with 100 spare copies.

SCD


Under Secretary (Ayurveda) to the
Government of Himachal Pradesh.

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Signature & Stamp

**Recruitment and Promotion Rules for the post of Pharmaceutical Chemist
(Class-II-Non-Gazetted) in the Department of Ayurveda, Himachal Pradesh.**

1.	Name of Post	Pharmaceutical Chemist
2.	Number of Post(s)	1(One)
3.	Classification	Class-II (Non-Gazetted)
4.	Scale of Pay	i) Pay Scale for regular incumbents:- Rs:10300-34800 + 4400/-Grade Pay ii) Emoluments for contract employee:- Rs. 14,700/- as per details given in Col.15-A.
5.	Whether selection or Non-selection post	Selection
6.	Age for direct Recruitment	45 years and below

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Govt. including those who have been appointed adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc basis had become overage on the date when he/she was appointed as such he/she shall not be eligible for any relaxation in the prescribed age limit by virtue of his such adhoc or contract appointment;

Provide further that upper age limit is relaxable for Scheduled Castes/ Scheduled Tribes/other categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the public sector corporations and Autonomous Bodies who happened to be Government servants before absorption in public sector Corporations/ Autonomous Bodies at the time of initial constitutions of such corporations/autonomous bodies shall be allowed age concession will, however, not be admissible to such staff of the public sector corporation/ autonomous bodies who are/were subsequently appointed by such such corporation/

autonomous bodies and who are/ were finally absorbed in the service of the public sector corporations/autonomous bodies:

(1) Age limit for direct recruitment will be reconsidered on the first day of the year in which the post is/are advertised for inviting applications or notified to the employment exchanges or as the case may be.

(2) Age and experience in the case of direct recruitment relaxable at the discretion of commission in the candidate is otherwise well qualified.

7.	Minimum Educational and other qualifications required for direct recruitment	<p>a) Essential Qualification :</p> <p>i) Should possess a Master Degree of Pharmacy (M.Pharm) from a recognized University.</p> <p>b) Desirable Qualifications:</p> <p>i) Should possess at least 3 years experience in analysis, testing or manufacturing of drugs and Pharmaceuticals in the Govt./Semi-Govt. Institutions.</p> <p>ii) Knowledge of customs, manner and dialects of H.P. and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8.	Whether age and educational qualification prescribed for direct recruits will apply in the case of the promotees.	<p>Age: Not applicable.</p> <p>Educational Qualification: Not applicable.</p>
9.	Period of probation, if any;	Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
10.	Method of recruitment whether by direct recruitment or	100% by promotion, failing which by direct recruitment on a 'regular' basis or by recruitment on contract basis, as the case may be.

	<p>by promotion deputation, transfer and the percentage of posts to be filled in by various methods.</p>	
<p>11.</p>	<p>In case of recruitment By promotion, deputation, Transfer, grade from which promotion/ deputation/ transfer is to be made.</p>	<p>By promotion from amongst the Scientific Assistant having eight years regular service or regular combined with continuous adhoc service rendered if any, in the grade.</p> <p>Provided that for the purpose of promotion every employee shall have to serve at least one term in the Tribal/ Difficult areas subject to adequate number of post(s) available in such areas.</p> <p>Provided further that the proviso (I) supra shall not be applicable in the case of those employee who have five years or less service, left for superannuation.</p> <p>Provided further that officers/officials who have not served at least one tenure in Tribal/ Difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.</p> <p>Explanation- I : For the purpose of proviso I supra the " term" in Tribal/difficult areas shall mean normally three years or less period of posting in such areas keeping in view of the administrative requirements and performance of the employee.</p> <p>Explanation-II : For the purpose of proviso I supra the Tribal/difficult areas shall be as under :-</p> <p>1. District Lahaul & Spiti</p>

2. Pangin and Bharmour Sub-Division of Chamba District.
3. Dodra Kwar area of Rohru Sub-division
4. Pandrah Bis Pargana, Munish darkali and Gram Panchyat Kashapat, Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis pargana of Kullyur District .
6. Bara Bhangal Area of Baijnath sub-division of Kangra District.
7. District Kinnaur.
8. Kaathwar and Korga Patwa Circles of Kamrau Sub- Tehsil Bhaladh Bhalona and Sanga Patwar Circles of Remukaji Tehsil and Kota Pab Patwar Circle of Shilai Tehsil of Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada Gusaaini, Mathyani, Gharyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgar, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Pathar Tehsil, Chuni, Kalipar, Mangarh, Thach-Bagra, North Magru and south Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sundernagar Tehsil in Mandi District.

(1) In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these Rules for promotion subject to condition that adhoc appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provision of R&P Rules.

Provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis followed by

regular service/ appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/ cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration ;

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of a least three year or that prescribed in the Recruitment and Promotion Rules for the post whichever is less.

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirement of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation:

(1) The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be ex-servicemen recruited under the provisions of Rule-3 of the Demobilised Armed forces Personnel (Reservation of vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rules-3 of the Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority

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		<p>thereunder ;</p> <p>(2) Similarly, in all cases of confirmation adhoc service rendered on the feeder post, if any, prior to the regular appointment against such post shall be taken into account towards the length of service, if the adhoc appointment/promotion had been made after proper selection and in accordance with the provision of the R&P Rules.</p> <p>Provided that inter- se- seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.</p>
12.	If a Departmental Promotion committee exists, what is its composition:	D.P.C. to be presided over by the Chairman, H.P. Public Service Commission or a Member thereof to be nominated by him.
13.	Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment.	As required under the Law.
14.	Essential requirement for a direct recruitment.	A candidate for appointment to any service or post must be a Citizen of India.
15.	Selection for appointment to post by direct recruitment.	Selection for appointment to the post in the case of direct recruitment shall be made on the basis of viva-voce test if H.P. Public Service Commission or other recruiting authority as the case may be, so consider necessary or expedient by a written test or practical test, the standard/ syllabus etc. of which will be determined by the commission/ other recruiting authority as the case may be.
15-A	Selection for appointment to post by recruitment on contract basis.	Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below :-

Concept of appointment on contract basis:

I) Concept:

a) Under this policy, Pharmaceutical Chemist in the Department of Ayurveda will be engaged on contract basis initially for one year, which may be extended on year to year basis.

Provided that for extension/renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/ extended.

b) Posts falls within the purview of H.P.P.S.C:

The Principal Secretary/Secretary (Ayurveda) after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned requitment agency i.e. H.P. Public Service Commision.

c) The selection will be made in accordance with the eligibility conditions prescribed in these Rules.

II) Contractual Emoluments :

The Pharmaceutical Chemist appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 14,700/-per month (which shall be equal to minimum of the pay band plus grade pay). An amount of Rs.450/- (3% of the minimum of pay band plus grade pay of the post) as annual increase in contractual amoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

III) Appointment/Disciplinary Authority:

The Principal Secretary / Secretary (Ayurveda) to the Govt. of H.P. will be appointing and disciplinary authority.

IV) Selection Process :

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test, or if consider necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruitment agency i.e H.P.Public Service Commission.

V) Committee for selection of Contractual

Appointment :-

“ As may be constituted by the competent authority i.e. H.P. Public Service Commission from time to time”.

VI) Agreement :-

After selection of a candidate, he/she shall sign an agreement as per Annexure-B appended to these Rules.

VII) Terms and Conditions :-

a) The contract appointee will be paid consolidated fixed contractual amount @ Rs. 14,700/- per month (which shall be equal to minimum of the pay band plus grade pay). The contract appointee will be entitled for an increase in contractual amount @ of Rs.450/- (3% of the minimum of pay band plus grade pay of the post) for further extended years and no other allied benefits such as seniority/ selection scales and NPA etc. will be given.

		<p>stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical Officer/ Practitioner.</p> <p>g) Contract appointee will be entitled for TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable at the minimum of pay scale.</p> <p>h) Provisions of service rules like FR,SR, Leave Rules, GPF Rules, Pension Rules and Conduct Rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.</p>
16.	Reservation:	<p>The appointment to the service shall be subject to order regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.</p>
16-A.	Training	<p>A person who is selected for appointment as Pharmaceutical Chemist and does not possess the requisite experience as prescribed in Col.7 supra, will have to undergo at least 9 months training in drug Analysis, testing or manufacturing of drugs from an Institution recognized by the Centre/State Govt. and on his successful completion of the training he will be offered appointment and at the time of such appointment he has to execute a Bond for Rupees 1,00,000/- (Rupees One Lac)</p>

		with the State Govt. to serve the Himachal Pradesh Government for at least 5 years, failing which he will be liable to pay the bond money.
17.	Departmental Examination:	Not Applicable.
18.	Power to relax:	Where the State Govt. is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the H.P. Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or posts.

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